

REMARKS

Claims 1-59 are pending in this application.

The above-mentioned claims have been amended to improve their form because they originally contained either peptide or nucleotide sequence information, however, they did not contain sequence identifiers. The aforementioned claims have been amended to include corresponding SEQ ID NOS where there is either a peptide or nucleotide sequence.

Changes to the specification do not introduce new matter. For example, "SEQ ID NO: 12 was changed to SEQ ID NO: 43, because SEQ ID NO: 12 of the original Sequence Listing was in error and contained a typo at amino acid position 15, which was not reflected either in the specification, claims 23 and 30. SEQ ID NO: 43 is the exact amino acid sequence found in the specification and Claims 23 and 30.

With regards to the substitute Sequence Listing, Applicant has included additional sequences, which were not in the prior Sequence Listing mailed 23 July 2001. This is because not all of the sequence information disclosed in the original specification, original claims and original drawings were included in the Sequence Listing as required by 37 CFR §§ 1.821-1.825. Hence, no new subject matter has been added although the Sequence Listing contains more sequence information than that originally filed in prior Sequence Listings. Moreover, the original sequence listing of SEQ ID NO: 1-27 have been sustained, while additional sequences are added thereafter, SEQ ID NO: 28-44.

Sequence information from Figure 2 has been added to the Sequence Listing and assigned SEQ ID NOs., hence those claims which refer to sequences found in Figure 2 now contain a corresponding SEQ ID NO; and

All sequences found in Figure 3 have been added to the Sequence Listing and assigned SEQ ID NOs., including as separate sequences those which were separated by internal stops (see bottom sequence line of Figure 3). Hence, those claims, which refer to sequences found in Figure 3, now contain a corresponding SEQ ID NO.

Lastly, other deficiencies in the Sequence listing have also been corrected which were not specifically identified in the Office Action of 22 May 2002.

Please find enclosed a separate paper printout of the Sequence Listing as well as two identical (2) floppy discs having the Sequence Listing in computer readable format (CRF), in compliance with the requirements of 37 CFR §§ 1.821-1.825. Moreover, the Sequence Listing information recorded on the two (2) discs is exactly identical to the paper Sequence listing copy.

Please also find enclosed two new copies of FIG. 3.

Therefore, Applicant submits that all pending claims are in good condition to be examined under 35 U.S.C. §§ 131 and 132, and such is respectfully requested.

CONCLUSION

In view of the petition to revive an unavoidably abandoned application, declarations by Mr. Philip Wheeler (and Exhibit A) and Mr. Guy P. Smith, the above amendments and remarks, Applicant respectfully submits that all claims are once again active and in good condition to be examined under 35 U.S.C. §§ 131 and 132. The amended claims do not add new subject matter nor raise new issues. The amended claims simply have improved form as suggested by the Examiner in the prior Office Action of 22 May 2002.

If for any reason the Examiner finds the application other than in condition for examination, Applicant encourages the Examiner to telephone Applicant's undersigned representative at 310-319-5414 to discuss the steps necessary for placing the application in condition for examination.

Applicant hereby authorizes the Commissioner to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 16-2230. Should such additional fees be associated with an extension of time, Applicant respectfully requests that this paper be considered a petition therefore.

Respectfully submitted,

By 
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IN THE DRAWINGS:

Please replace new FIG. 3 for the old FIG. 3.